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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/670,424	09/26/2000	Makoto Sato	00681/LH	5505

1933 7590 06/21/2005

FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
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NEW YORK, NY 10001-7708

EXAMINER

PARTHASARATHY, PRAMILA

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/670,424

Applicant(s)

SATO ET AL.

Examiner

Pramila Parthasarathy

Art Unit

2136

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 June 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: NONE
Claim(s) objected to: NONE
Claim(s) rejected: 30 - 42
Claim(s) withdrawn from consideration: NONE

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☒ Other: Amendments to the specification not entered.

Advisory Action

1. This office action is in response to the after-final request for reconsideration filed on June 03, 2005.

As per the applicant's argument that amended Claims 30, 33, 34, 37, 39, 40, 41 and 42 addresses the '112-1 issue without effecting the scope of the said claims, the examiner finds the applicant's arguments not to be persuasive in that the phrase "item titles" encompass a clear change in context/scope to the claimed limitations context from which original claims (1 - 29) were directed. While the proposed claims generally address the '112-1 issue with respect to "memorizing unit" and "memorized" issues per se, maintaining the "item titles" language issue is clearly not resolved. Applicant's argument that "item titles" correspond to "column items" is not persuasive as column items in the specification correspond to, for example, "chris", "New York" or "408-228-6611" (see instant application specification pages 21-23), Applicant argues that they are equal to "name", "state", or "phone" (remarks page 13). The Examiner declines to enter Amendments to the specification. Thus claims submitted formally after final rejection would not be entered.

2. Regarding independent claims 30, 33, 34, 37, 39, 40, 41 and 42, applicant argued that the cited prior art [Goldstein U.S. Patent Number 5,963,642, hereafter "Goldstein" and Taguchi et al. U.S. Patent Number 5,915,025, hereafter "Taguchi"] does not contain all limitations. Goldstein does not disclose "all of the database data segments in the data segments group that are the target of the search" and "encrypting

data segments in a data segment group corresponding to other column titles by row using different row keys". This argument is not persuasive.

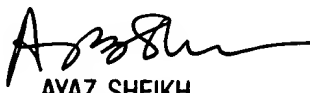
Claimed language specifically says, "...at least one item title for specifying a corresponding at least one data segment group as a target of a data search process ..." and Goldstein discloses " at least one item title for specifying a corresponding at least one data segment group as a target of a data search process (Goldstein Column 12 line 64 – Column 13 line 3) and Taguchi discloses a data processing apparatus with software protecting functions capable of enhancing the level of encryption security wherein an encryption unit for encrypting the data segments of at least one data segment group corresponding to item titles other than the memorized item titles, in units corresponding to the records, using the different row keys of the respective records (Taguchi Column 3 line 64 – Column 4 line 15; Column 7 lines 40 – 65 and Column 11 lines 3 – 45). Goldstein provides a discussion for the need for plurality of column keys to encrypt the data by using plurality of column permutations (Goldstein Column 17 line 53 – Column 18 line 31 and Column 24 and line 34 – column 26 line 29; especially Column 26 lines 5 – 22).

Taken together, Taguchi discloses encrypting the data segment using the different row keys of the respective records and Goldstein discloses encrypting the data segment using a column key to provide a database with internal-level data encryption and the encryption keys to depend on the attributes of the row and column keys.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 703-305-8912. The examiner can normally be reached on Monday – Friday (8:00am – 5pm).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy
June 14, 2005.


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
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